

March 24, 1981

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chose to hang. But nevertheless I think what Senator DeCamp is offering is valid and it is reasonable. If you have a punishment that is never brought to bear, you have no punishment. And I don't think really arresting and prosecuting people for litter is going to deal with the problem anyway. Criminal sanctions will not deal with litter. You are going to have to find a bill that takes away the incentive for littering, and I don't know whether Senator Dworak has such an amendment or not. But in the meantime, stumbling and fumbling along the best we can, I think we will stumble in the right direction if we defeat Senator Hoagland's amendment.

SENATOR CLARK: The question before the House is the adoption of the Hoagland amendment. All those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? Record the vote.

CLERK: 11 ayes, 13 nays on adoption of the first Hoagland amendment, Mr. President.

SENATOR CLARK: The motion fails. The amendment is not adopted. The next amendment by Senator Hoagland.

CLERK: Mr. President, the second Hoagland amendment is found on page 1079 of the Journal.

SENATOR CLARK: Senator Hoagland.

SENATOR HOAGLAND: Mr. President and colleagues, let me explain what this particular amendment does. This changes the definition of persons who are subject to this act. Currently if a manufacturer or a wholesaler or a retailer gross a \$100,000 or less they are exempt from the operation of this act. Now if you take a look at the fiscal note, the fiscal analyst has indicated that that means that an organization employs approximately 1.5 persons per year or less, if they have gross sales of \$100,000 or less. Now what this amendment proposes to do is exempt any retailer, wholesaler or manufacturer that has fewer than 10 employees. Now let me explain why I think this is important. Now what we are having here, you know, is the annual replay of Senator DeCamp's "barking dog" bill. It's been before us every year now for about three years and every year he comes in with a bill to try and make it work a little bit better and every year there seem to be a lot of problems with the bill, at least in my opinion. Now, we all know why this bill came about two years ago. On the November 1978 ballot we had the bottle bill, and that